

**CITY OF NEVADA CITY,  
ACTION MINUTES  
REGULAR CITY COUNCIL MEETING OF JANURARY 25, 2017**

**NOTE:** This meeting is available to view on the City's website [www.nevadacityca.gov](http://www.nevadacityca.gov) – Go to **Quick Links** and Click on **Agendas & Minutes** and find the Archived Videos in the middle of the screen. Select the meeting date and Click on **Video** to watch the meeting. For website assistance, please contact Corey Shaver, Deputy City Clerk at (530) 265-2496, ext 133.

- City Council Meetings are available on DVD. To order, contact City Hall - cost is \$15.00 per DVD.
- Closed Session Meetings are not recorded.

**CLOSED SESSION MEETING – 5:30 PM**

1. Pursuant to Government Code Section 54956.8 Real Property Transactions: Closed meeting with negotiators, City Manager Mark Prestwich, Assistant City Manager Catrina Olson, Contract City Attorneys Ryan Jones and Kimberly Hall Barlow regarding purchase price and/or terms of acquisition of property identified as APN 05-100-69 and 97 (portions).
2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION pursuant to Government Code §54956.9 – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 2 potential cases.
3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION pursuant to Government Code §54956.9 – Significant exposure to litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 potential case.

**Action:** No reportable action.

**REGULAR MEETING – 6:30 PM - Call to Order**

**Roll Call:** Present: Moberg, Parker, Senum, Vice Mayor Strawser & Mayor Phelps (Strawser absent)

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION:**

**PRESENTATION:** California Arts Council - Cultural Districts Program, Eliza Tudor, Executive Director, Nevada County Arts Council

Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov).

**Action:** City Manager Prestwich indicated there is a working group has been convened by Eliza Tudor that City staff and two Council Members are involved in. He anticipates the working group will develop a recommended approach for a possible application and discuss with the City Council at a future date.

**1. BUSINESS FROM THE FLOOR-PUBLIC COMMENT** (Per Government Code Section 54954.3)

Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov).

**2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:**

Vice Mayor Strawser joined by Council Member Parker requested City Staff review the zoning ordinance for size/massing of 2<sup>nd</sup> dwelling units and refer to Planning Commission for possible ordinance modifications.

Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov) for additional comments.

### 3. CONSENT ITEMS:

- A. **Subject:** Fire Activity Report – December 2016  
**Recommendation:** Receive and file.
- B. **Subject:** Agreement Between County of Nevada and City of Nevada City for Management of the Nevada City Veteran's Building  
**Recommendation:** Pass a Motion authorizing the Mayor to execute an Agreement with the County of Nevada for management of the Nevada City Veteran's Building.
- C. **Subject:** Side Letter No. 1 to the Nevada City Miscellaneous Employees Association Memorandum of Understanding (MOU) – New Classifications for Senior Maintenance Worker and Wastewater/Water Treatment Plant Operator III – Lead (WWTP/WTP)
- D. **Subject:** Approval of the Subrecipient Agreement with Nevada County Transportation Commission for Transportation Planning  
**Recommendation:** Pass Resolution 2017-03 approving of the Subrecipient Agreement with the Nevada County Transportation Commission for Transportation Planning and authorizes the Mayor to sign.
- E. **Subject:** Q2 Sales Tax Report (April 2016-June 2016)  
**Recommendation:** Receive and file.

**Action:** Motion by Parker, seconded by Senum to approve Consent Items as presented.  
(Approved 4 – 0; Strawser absent)

### 4. APPROVAL OF ACTION MINUTES:

- A. City Council Meeting – January 11, 2017

**Action:** Motion by Senum, seconded by Moberg to approve December 14, 2016 Minutes as presented.  
(Approved 4 – 0; Strawser absent)

### 5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. **Subject:** 1<sup>st</sup> Quarter Financial Update, Fiscal Year 16/17  
**Recommendation:** Receive and file.

**Action:** Received and filed.

- A. **Subject:** Ratification of City of Nevada City Disaster Proclamation  
**Recommendation:** Pass Resolution 2017-04 ratifying Director of Civil Defense and Disaster Council's Proclamation Declaring the Existence of a Disaster.

**Action:** Motion by Senum, seconded by Parker to pass Resolution 2017-04 ratifying Director of Civil Defense and Disaster Council's Proclamation Declaring the Existence of a Disaster.  
(Approved 4 – 0; Strawser absent)

### 6. PUBLIC HEARINGS:

### 7. OLD BUSINESS:

- A. **Subject:** Ordinance: Regulation of Mobile Food Vending in Nevada City (second reading)  
**Recommendation:** Waive further reading and pass an Ordinance Adding Chapter 10.44 to the Nevada City Municipal Code Regulating Mobile Food Vending on Public and Private Property

**Action:** Motion by Senum, seconded by Moberg to waive further reading and pass an Ordinance adding Chapter 10.44 to the Nevada City Municipal Code Regulating Mobile Food Vending on Public and Private Property  
(Approved 4 – 0; Strawser absent)

- B. Subject:** An Ordinance of the City of Nevada City amending Title 15 of the Nevada City Municipal Code to adopt the 2016 California Building Standards with local amendments similar to those adopted by Nevada County by Ordinance No. 2424 (Second Reading)

**Recommendation:** Approve finding that CEQA general rule exception applies, finding this action reflects the independent judgment of the City Council of Nevada City; waiving further reading of ordinance and pass Ordinance 2017-03 amending Title 15 of the Nevada City Municipal Code.

**Action:** Motion by Moberg, seconded by Parker to approve finding that CEQA general rule exception applies, finding this action reflects the independent judgment of the City Council of Nevada City; waiving further reading of ordinance and pass Ordinance 2017-03 amending Title 15 of the Nevada City Municipal Code.

**(Approved 4 – 0; Strawser absent)**

## **8. NEW BUSINESS:**

- A. Subject:** Informational Update: 2017 Nevada County Local Agency Formation Commission Sphere of Influence Update for Nevada City

**Recommendation:** Discuss and provide direction to the City Manager.

**Action:** Direction provided to staff to return to City Council at their meeting of February 8 with additional analysis and recommendations related to protecting the City's sphere of influence.

## **9. CORRESPONDENCE:**

## **10. ANNOUNCEMENTS:**

Please refer to the meeting video on the City's website at [www.nevadacityca.gov](http://www.nevadacityca.gov).

## **11. CITY MANAGER'S REPORT:**

City Manager Prestwich invited the community to a workshop on the "ParkEasy Nevada City" parking expansion strategy on Wednesday, February 1<sup>st</sup> at 6:00 p.m. at City Hall.

## **12. ADJOURNMENT – 8:40 p.m.**

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**Evans Phelps, Mayor**

**ATTEST:**

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**Niel Locke, City Clerk**